ERIC W. SWANIS, ESQ. Nevada Bar No. 6840 JASON R. MAIER, ESQ. Nevada Bar No. 8557 GREENBERG TRAURIG, LLP 3773 Howard Hughes Parkway Suite 400 North Las Vegas, Nevada 89169 Telephone: (702) 792-3773 Facsimile: (702) 792-9002 swanise@gtlaw.com E-mail: maieri@gtlaw.com

Attorneys for Receiver Robert McNamara

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

NEW CENTURY BANK, an Illinois banking corporation,

Case No.

2:09-CV-1279-RLH-GWF

Plaintiff,

VS.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

AG MARKETPLACE, LLC, a Nevada limited liability company; BOBBE MARKETPLACE, LLC, a Nevada limited liability company,

Defendants.

ORDER GRANTING RECEIVER'S MOTION FOR APPROVAL OF FINAL REPORT AND TO DISCHARGE AND **EXONERATE RECEIVER** 

Presently before the Court is the Receiver's motion for approval of final report and to discharge and exonerate receiver [#36]. The Court, having reviewed the pleadings and papers on file herein relative to said motion, having reviewed the Receiver's final report, having received no objection or opposition to either the motion or final report, and for good cause appearing, finds that the Receiver's motion is with merit and should be granted. The Court further finds that because the buyer under the terms of the purchase and sale agreement now has title and possession of the Real Property Collateral (as defined in the motion), there are no longer any receivership assets for the Receiver to administer and the receivership should be terminated. Therefore, the Court will approve the Receiver's final report, terminate the receivership, immediately discharge the Receiver from his duties in this matter and exonerate him from any liability related thereto. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the Receiver's motion for

## Case 2:09-cv-01279-RLH-GWF Document 38 Filed 09/07/10 Page 2 of 2

approval of final report and to discharge and exonerate receiver be, and the same is hereby, 1 **GRANTED**; 2 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Receiver's final 3 report be, and the same is hereby, APPROVED; and 4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the receivership is 5 6 hereby terminated and that the Receiver is hereby discharged from his duties in this matter and 7 exonerated from any liability related thereto. September DATED this 7th day of 8 . 2010. 9 10 UNITED STATES DISTRICT JUDGE 11 12 13 14 15 Respectfully submitted, 16 GREENBERG TRAURIG, LLP 17 18 ERIC W. SWANIS, ESQ. Nevada Bar No. 6840 19 JASON R. MAIER, ESQ. Nevada Bar No. 8557 20 3773 Howard Hughes Parkway Suite 400 North 21 Las Vegas, Nevada 89169 Attorneys for Receiver Robert McNamara 22 23 24 25 26 27

28